

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TECHNOLOGY PROPERTIES LIMITED LLC
and MCM PORTFOLIO LLC,

Plaintiffs,

v.

CANON, INC. et al.,

Defendants.

No. C 14-3640 CW

ORDER ON
DEFENDANTS' MOTION
FOR LEAVE TO FILE
EXCESS PAGES

(Docket No. 290)

TECHNOLOGY PROPERTIES LIMITED
LLC,

Plaintiff,

v.

FALCON COMPUTER SYSTEMS, INC.,

Defendant.

No. C 14-3641 CW

(Docket No. 66)

TECHNOLOGY PROPERTIES LIMITED LLC
and MCM PORTFOLIO LLC,

Plaintiffs,

v.

HEWLETT-PACKARD COMPANY,

Defendant.

No. C 14-3643 CW

(Docket No. 76)

1 TECHNOLOGY PROPERTIES LIMITED
2 LLC,

No. C 14-3645 CW

3 Plaintiff,

(Docket No. 63)

4 v.

5 NEWEGG INC. et al.,

6 Defendants.

7 TECHNOLOGY PROPERTIES LIMITED
8 LLC,

No. C 14-3646 CW

9 Plaintiff,

(Docket No. 72)

10 v.

11 SEIKO EPSON CORPORATION, et al.,

12 Defendants.

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14 TECHNOLOGY PROPERTIES LIMITED LLC
and MCM PORTFOLIO LLC,

No. C 14-3647 CW

15 Plaintiffs,

(Docket No. 68)

16 v.

17 SHUTTLE, INC., et al.,

18 Defendants.

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22 The matter comes before the Court on Defendants'
23 administrative motion for leave to file excess pages for their
24 joint opposition brief on claim construction. Docket No. 290.¹
25 Defendants seek ten extra pages, raising the limitation from
26 twenty-five to thirty-five pages. In support of their motion,

27 ¹ Docket Numbers correspond to the docket for case number
28 14-3640.

1 Defendants point out that there are nine terms across three
2 patents in dispute. Further, Defendants argue that the excess
3 pages are necessary to provide ample space to harmonize the
4 arguments of six separate Defendants. Finally, Defendants state
5 that additional pages will permit Defendants to incorporate
6 illustrations which will make their argument easier to follow,
7 thereby assisting the Court.

8 Plaintiffs oppose the motion. Docket No. 295. Having
9 considered Plaintiffs' opposition, the Court concludes that many
10 of Plaintiffs' arguments simply carry no weight. For example,
11 Plaintiffs argue that there is "no justification" for the
12 increase; in fact, Defendants provided several justifications in
13 their motion. Plaintiffs also argue that "Defendants will use
14 some of the allotted page limit making accusatory statements about
15 Plaintiffs rather than focusing on the merits of claim
16 construction." The Court will not deny Defendants' motion on a
17 prediction. Plaintiffs also make much of the fact that Defendants
18 have had three months to file their brief. Plaintiffs' arguments
19 to that effect ring hollow, as Plaintiffs agreed to this briefing
20 schedule at the case management conference and several Defendants
21 have settled in the interim, necessarily upsetting the preparation
22 of a joint brief. Plaintiffs also argue that it would be
23 prejudicial to grant Defendants' motion, since Plaintiffs complied
24 with the applicable page limit in filing their opening brief.
25 However, Plaintiffs had an available remedy, had they determined
26 that extra pages were necessary: they could have filed a similar
27 motion for excess pages.

1 In sum, Defendants justified their request and Plaintiffs'
2 opposition has not convinced the Court that Defendants' motion
3 should be denied. The Court thus finds good cause and GRANTS
4 Defendants' motion.

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6 IT IS SO ORDERED.

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8 Dated: April 17, 2015

A handwritten signature in blue ink, appearing to read 'Claudia Wilken', is written over a horizontal line.

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10 CLAUDIA WILKEN
11 United States District Judge
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